

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JASON ELLENWOOD,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS
MENTAL/MEDICAL HEALTH *et al.*,

Defendants,

Case No. C08-5197FDB

ORDER

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. Before the court is plaintiff's motion to proceed *in forma pauperis* and a 50 page proposed complaint (Dkt. # 1). The clerk's office sent plaintiff a deficiency letter on April 1, 2008 (Dkt. # 2). That letter gave plaintiff until May 1, 2008, to return the proper form so the court could address plaintiff's motion to proceed *in forma pauperis* (Dkt. # 2). Plaintiff did not respond until well after May 1, 2008 (Dkt. # 3). Plaintiff alleges he is now in Administrative Segregation and he asks the clerks office to resend him the form.

The clerk's office is directed to send plaintiff another authorization and acknowledgment form. Plaintiff will have until **June 5, 2008**, to return the filled out form. If plaintiff fails to properly fill out the form or fails to return the form, the court will recommend this action be dismissed.

1 The court has reviewed the proposed complaint and notes there are no Marshal's service forms on file.
2 Further, the complaint is defective for a number of reasons. At some future point in time an amended
3 complaint will need to be filed. The court will address these issues after the issue of plaintiff proceeding in
4 forma pauperis has been resolved.

5 The clerk's office is directed to send plaintiff another copy of the form and note the June 5, 2008,
6 date on the court's calendar.

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8 DATED this 13th day of May, 2008.

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10 /s/ J. Kelley Arnold
11 J. Kelley Arnold
12 United States Magistrate Judge
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